

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

BRENDA MATLOCK,

Plaintiff,

CAFN: 1:22-cv-02249-JPB

v.

TRIGO EXPRESS, LLC,
TAN TRAN and
UNITED FINANCIAL CASUALTY
COMPANY,

Defendants.

**PLAINTIFF'S MOTION TO ADD PLAINTIFF
AND FOR LEAVE OF THE COURT TO AMEND COMPLAINT**

COMES NOW BRENDA MATLOCK, Plaintiff, by and through counsel of record, and, pursuant to Rule 15 of the Federal Rules of Civil Procedure, moves the Court for an Order adding Alex Matlock as her co-plaintiff in this matter and for leave of the Court to amend the Plaintiff's Complaint as appropriate. In support of said motion, Plaintiff respectfully shows the following:

1.

At the time of the motor vehicle collision complained of in the Plaintiff's Complaint, Plaintiff Brenda Matlock and Alex Matlock were married. Plaintiff and Alex Matlock continue to be married as of the date of this motion.

2.

Since the date of the collision, Alex Matlock has been deprived of the services, society, companionship, love, affection, aid, cooperation, sexual relations, and comfort of his spouse.

3.

As Plaintiff alleged in her Complaint, the direct and proximate cause of said collision was Defendants' negligence, and Alex Matlock's loss of these essential features of the marriage relationship arose out of the injuries Plaintiff received in this collision.

4.

Fed. R. Civ. P. 15 provides that "a party may amend its pleading [with] the court's leave" and that "[t]he court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2).

5.

Plaintiff Brenda Matlock asserts that Alex Matlock has an interest in the current case and is therefore a necessary party to a full and complete adjudication of this matter.

6.

Plaintiff's motion seeks to add her husband Alex Matlock as a co-plaintiff and to amend the Complaint by adding allegations of loss of consortium on his

behalf.

For the above stated reasons, Plaintiff Brenda Matlock respectfully requests that the Court add Alex Matlock to this action as a plaintiff, and further requests that the Court grant Plaintiff leave to file the attached Second Amended Complaint. Also attached is a proposed order.

Respectfully submitted this 13th day of April, 2023.

/s/ Joseph W. Weeks

Joseph W. Weeks

Attorney for Plaintiff

Georgia Bar No. 912341

McNALLY WEEKS

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CERTIFICATE OF COMPLIANCE WITH L.R. 7.1(D)

Pursuant to L.R. 7.1(D) N.D. Ga., I hereby certify the within and foregoing motion has been prepared in Times New Roman 14 point font, as approved by the Court in L.R. 5.1(B), N.D. Ga.

/s/ Joseph W. Weeks
Joseph W. Weeks
Attorney for Plaintiff

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CERTIFICATE OF SERVICE PURSUANT TO RULE 5(b)(2)(E)

This is to certify that I have this day served a copy of the within and foregoing **PLAINTIFF'S MOTION TO ADD PLAINTIFF AND FOR LEAVE OF THE COURT TO AMEND COMPLAINT** and all attachments thereto on all parties of record in this action by filing said pleading with the court's electronic-filing system, which will automatically email a copy of the filing to each registered user, as follows:

Benjamin Ralston
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This 13th day of April, 2023.

/s/ Joseph W. Weeks

Joseph W. Weeks
Attorney for Plaintiff
Georgia Bar No. 912341

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